

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CWP No.1621 of 2018
Date of Decision: 25.01.2018

Vijay Kumar and others

. . . . Petitioners

Vs.

State of Haryana and others

. . . . Respondents

CORAM: - HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present: Mr.Ashwani Bakshi, Advocate,
for the petitioners.

RAKESH KUMAR JAIN, J. (ORAL)

The respondent No.5 is a Society, registered under the Haryana Registration and Regulations of Societies Act, 2012 [for short 'the Act']. The election of the Collegium and Governing Body of the Society are held in terms of its Constitution and Bye-laws. The election of the Collegium and Governing Body was notified on 28.12.2017. The election program has been settled and voter list has also been published. According to the petitioners, the election of the Collegium and Governing Body is governed by Section 39 of the Act.

According to the petitioners, 18 objections were filed by the individuals under Section 39(4) of the Act but the District Registrar did not decide the same.

Learned counsel for the petitioners was specifically asked as to whether the petitioners have also filed any objection against the voter list to which he has replied that the petitioners are only prospective candidates and have not filed any kind of objection. Thus, in my considered opinion, the

petitioners have no personal grievance and the individual members, who had filed the objections, have not approached this Court. Learned counsel for the petitioners, however, submitted that the defaulters of the Society were contesting the election. In case, the allegations made by the petitioners are correct then the election process cannot be stalled because the nomination papers have already been accepted and the petitioners have other remedy available with them in accordance with law but for the present writ petition.

No other point has been raised.

In view of the above, I do not find any merit in the present petition for the purpose of interference and hence the same is hereby dismissed.

25.01.2018

Vivek

(RAKESH KUMAR JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No